

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

COUNT BASIE THEATRE INC.,

Plaintiff,

v.

ZURICH AMERICAN INSURANCE
COMPANY,

Defendant.

Civil Action No. 21-00615

ORDER

May 29, 2024

SEMPER, District Judge.

THIS MATTER having come before the Court on Defendant Zurich American Insurance Company's ("Zurich") Motion for Summary Judgment (ECF 80) and Plaintiff Count Basie Theatre Inc.'s ("Count Basie") Cross-Motion for Summary Judgment (ECF 83); and this Court, having considered the parties' submissions, for the reasons stated in the accompanying Opinion;

IT IS, on this 29th day of May 2024,

1. **ORDERED** that Zurich's Motion for Summary Judgment is **GRANTED**; and it is further
2. **ORDERED** that Count Basie's Cross-Motion for Summary Judgment is **DENIED**; and it is further
3. **ORDERED** that the Clerk of Court shall **CLOSE** this matter.

s/ Jamel K. Semper
HON. JAMEL K. SEMPER
United States District Judge

Orig: Clerk
cc: Leda D. Wettre, U.S.M.J.
Parties